

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TYLER JOHN DESMOND,
Defendant.

Case No. CR22-188 TL

TEMPORARY DETENTION ORDER

On November 10, 2022, Mr. Desmond appeared for an initial appearance and detention hearing before the undersigned United States Magistrate Judge, after which Mr. Desmond was placed on an appearance bond that included restrictions that he not use drugs or alcohol, submit to drug testing, and not have access to an internet-capable device. (Dkt. ## 8-10.)

On February 8, 2023, Pretrial Services filed a Petition for Summons (dkt. # 17), alleging Mr. Desmond violated the terms and conditions of his appearance bond as follows:

- (1) Using methamphetamine, in violation of the special condition, on or about December 12, 2022, December 27, 2022, and January 17, 2023.
- (2) Failing to report for drug testing, in violation of the special condition, on January 12, 2023.

1 On February 28, 2023, Pretrial Services filed a Report of Supplemental Violations (dkt.
2 # 21), alleging Mr. Desmond violated the terms and conditions of his appearance bond as
3 follows:

4 (3) Using methamphetamine, in violation of the special condition, on or about January
5 30, 2023, and February 7, 2023.

6 On February 28, 2023, Mr. Desmond appeared at a bond revocation hearing before the
7 undersigned. (Dkt. # 23.) He was advised of his rights in connection with the Petition for
8 Summons and Report of Supplemental Violations. He was advised of bond violation allegations
9 1-3. Mr. Desmond admitted to failing to abide by the terms of his bond, as set forth in bond
10 violation allegations 1-3. The Court, pursuant to 18 U.S.C. § 3148, set a bond revocation/status
11 hearing for March 21, 2023.

12 On March 17, 2023, Pretrial Services filed a Report of Supplemental Violations (dkt.
13 # 27), alleging Mr. Desmond violated the terms and conditions of his appearance bond as
14 follows:

15 (4) Using methamphetamine, in violation of the special condition, on or about February
16 14, 2023, and February 22, 2023.

17 (5) Possessing an internet-capable device, in violation of the special condition, on March
18 9, 2023.

19 On March 21, 2023, Mr. Desmond appeared at the bond revocation/status hearing. (Dkt.
20 # 29.) He was advised of his rights in connection with the Report of Supplemental Violations. He
21 was advised of bond violation allegations 4-5. Mr. Desmond admitted to failing to abide by the
22 terms of his bond, as set forth in bond violation allegation 4. Mr. Desmond denied bond
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1 allegation 5. The Court, pursuant to 18 U.S.C. § 3148, set an evidentiary bond revocation hearing
2 for April 5, 2023.

3 The Court, having considered the information provided by the government regarding Mr.
4 Desmond's possession of an internet-capable device, and based upon the reasons for temporary
5 detention hereafter set forth and as stated on the record, finds:

6 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

7 (1) On November 10, 2022, Mr. Desmond was placed on an appearance bond that
8 included restrictions that he refrain from using drugs or alcohol, submit to drug testing, and not
9 have access to an internet-capable device.

10 (2) Mr. Desmond admit to having failed to abide by the terms of his bond by using
11 drugs and failing to report to drug testing.

12 (3) Based on the admissions that he failed to adhere to the appearance bond
13 conditions, there does not appear to be any condition or combination of conditions that will
14 reasonably assure Mr. Desmond is not a danger to the community until the evidentiary hearing
15 on April 5, 2023.

16 IT IS THEREFORE ORDERED:

17 (1) Mr. Desmond shall be temporarily detained pending an evidentiary hearing, and
18 committed to the custody of the Attorney General for confinement in a correction
19 facility separate, to the extent practicable, from persons awaiting or serving
20 sentences or being held in custody pending appeal;

21 (2) Mr. Desmond shall be afforded reasonable opportunity for private consultation
22 with counsel;
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- 1 (3) On order of a court of the United States or on request of an attorney for the
2 government, the person in charge of the corrections facility in which Mr.
3 Desmond is confined shall deliver him to a United States Marshal for the purpose
4 of an appearance in connection with a court proceeding; and
- 5 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
6 counsel for Mr. Desmond, to the United States Marshal, and to the United States
7 Pretrial Services Officer.

8 Dated this 21st day of March, 2023.

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11 MICHELLE L. PETERSON
12 United States Magistrate Judge
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